

Vermont Community Broadband Board Draft Meeting Minutes
112 State Street, 3rd Floor,
Giga Conference Room
Montpelier, VT
December 20, 2021

I. Call To Order – 11:04 AM

II. Roll call completed by Patty Richards

Patty Richards, Chair (Remote)
Holly Groschner (Remote)
Dan Nelson (Remote)
Brian Otley (Remote)
Laura Sibilia (Remote)
Christine Hallquist - staff (In-person)
Robert Fish - staff (Remote)
Stan Macel – staff (Remote)

III. Review of Agenda

The agenda contained one topic for discussion, to review the Construction Grant RFP. There were no changes to the agenda.

IV. Review of Construction Grant RFP

The Board then discussed the draft Construction Grant RFP.

Holly Groschner began with an opening statement. She expressed concerns that she was unable to tell if comments had been incorporated and thus stated that she would not be able to vote affirmatively on the proposal. She noted that there is a lot of discussion remaining and that the Board must consider all comments, including those from the Public Service Department and VCUDA. Rob Fish responded, noting that the staff incorporated every comment that was actionable in the latest draft, which has been posted on the VCBB website. Patty Richards noted Holly Groschner's concerns and suggested that she should express her concerns issue by issue as the Board reviews the document. Holly Groschner responded that it is unreasonable to think that the Board members would track every comment and whether or not it has been resolved. She asked Rob Fish to add in new VCUDA comments as the Board reviews the document. Rob Fish noted that the VCUDA comments have been incorporated in the version that is on the Board's website. Patty Richards noted that reviewing the latest document will be difficult for the Board since Board members reviewed

an earlier version. Rob Fish then shared the latest version of the document on the screen of the meeting so that all attendees could see it.

There was a brief discussion of typographical errors, and the staff noted that those would be dealt with after the meeting, so that the Board could focus on substantive edits to the document.

Rob Fish noted that Universal Service Plan would be a defined term and capitalized throughout, and that it would cover all on grid underserved and unserved locations.

He also noted that “Access to broadband” should be defined. We have consensus that it means a passing but not a drop.

Holly Groschner noted that a business plan should consider the percentage of the population that is low income. Rob Fish noted that demographics is discussed later in the document regarding Universal Service Plan, and that the concept of take rate assumptions could capture information based on low-income populations. Holly Groschner noted that it was discussed in Act 71; Rob Fish responded that he quoted language of Act 71 in the definition of business plan. Patty Richards noted that this concept is not required as part of Act 71 and that the Board should move to the next topic.

Rob Fish continued by reviewing additional wordsmithing changes, including changing “risk management plan” to “evaluation of risks.” Laura Sibilia noted that these concepts are different but she is Ok with the language as written.

Rob Fish also noted that, based on the Board’s prior guidance, staff changed “As a rule” to “In general.” There was some discussion about this point, and the Board agreed with its prior recommendation to change the language to “in general.”

Holly Groschner then asked if the Board was in agreement that it would adjust final numbers regarding the percentages of unserved roads in each CUD. Rob Fish clarified that the numbers would be updated with the construction grant. No other Board members raised objections.

Next was a discussion of the sunset provision in the matching funds section of the RFP, and whether the date of March 15, 2022 was too short a timeframe. It was noted that some Town meetings do not occur until late March, and as a result the sunset provision should be extended. Christine Hallquist noted that the CUDs felt strongly about the provision and had different thoughts. The Board asked to hear from CUD representatives, and Christa Shute of NEK Broadband commented that sometime after April 1st could work but that it should not extend indefinitely. She also asked for clarification that the grant pool of \$16 million would be apportioned based on the percentages of road miles discussed earlier in the RFP, which staff confirmed. David Jones of DV Fiber voiced concerns that obtaining funds could be difficult, and echoed Christa Shute’s concerns that funds be apportioned among the CUDs. The Board agreed on April 15, 2022. F.X. Flinn of ECFiber urged the Board to consider

removing the matching provision. David Healy of CVFiber spoke in favor of the provision. Patty Richards proposed that the date be set at April 15th, 2022. Holly Groschner suggested a later date, Dan Nelson supported an extension of either length, but Laura Sibilila and Brian Otley supported April 15th, and thus a majority of the Board supported the date of April 15, 2022.

Rob Fish continued with review of the document, suggesting that language that Board staff will not communicate directly with Applicant should be stricken, since this language was derived from a different type of bid process. The Board supported this change. The Board provided comments on specific language, e.g., not to create the defined term “Universal Service Area”, and to edit an incomplete sentence in the “Eligibility Screening Pre-Proposal” section of the document.

Holly Groschner commented that the Department of Public Service provided comments regarding the definition of Universal Service Plans that the staff should consider. Laura Sibilila noted that the definition of Universal Service Plan in Act 71 was intentional and that the Board should consider the definition in the Act.

Because the time was running short and the Board had not reviewed the entire document, it was proposed that the Board consider a new draft of the document at its meeting on January 3, 2022. After discussion regarding next steps, it was agreed that the Board would consider a new draft incorporating comments from VCUDA on January 3, 2022.

V. Motion to Adjourn

Patty Richards made a motion to adjourn, and Dan Nelson seconded the motion, and the meeting was adjourned.